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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q69144

Sadashige IRIE, et al.

Appln. No.: 10/089,523

Group Art Unit: 1755

Confirmation No.: 7305

Examiner: Not yet assigned

Filed: March 29, 2002

For: TRANSPARENT ELASTOMER COMPOSITION

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents  
Washington, D.C. 20231

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Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 10/089,523

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (official action dated October 7, 2002 in ROC Application Number 89120192), together with an English-language version (if not already included) of that portion of the Communication indicating the degree of relevance found by the foreign patent office.

Applicant further states that U.S. Patent 6,160,053 corresponds to DE 19909574.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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Date: November 6, 2002



OFFICIAL ACTION

To: DAIKIN INDUSTRIES, LTD.

Address: 3rd Fl., No. 279, Sec. 4, Hsin-Yi Rd., Taipei, TAIWAN

5 (Agent: Henry C. W. Hong)

Issued on: October 7, 2002

Document No.: 09183017850

1. Application No.: 89120192

2. Title of the Invention: Transparent Elastomer Composition

10 3. Applicant: DAIKIN INDUSTRIES, LTD.

Address: Japan

4. Patent Attorney: Henry C. W. Hong

Address: 3rd Fl., No. 279, Sec. 4, Hsin-Yi Rd., Taipei, TAIWAN

5. Filing date: September 29, 2000

15 6. Priority claimed: JP11-277995 filed on September 30, 1999

7. Examiner: Shunkei LIN

8. Subject matter of examination:

Text: The instant application is not allowed for patent.

Legal dependency: Article 20, Paragraph 2 and Article 22, Paragraph 4 of

20 the Patent Law

Reasoned statement

(1) Invention of instant application

25 The transparent elastomer composition of this invention is obtained by mixing an emulsion of fluorine-containing elastomer particles obtained by emulsion polymerization with an emulsion of fluorine-containing resin particles obtained by emulsion polymerization, adding an aqueous solution of nitric acid and then co-coagulating,

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thereby finely dispersing the fluorine-containing resin particles in the elastomer uniformly. This composition can provide a molded article being excellent in mechanical strength, and also by adding a crosslinking agent (crosslinking accelerator), mechanical strength can  
5 be further increased.

(2) As a result of examination, a point of this invention which can improve known technology is that the fluorine-containing resin particles are finely dispersed uniformly in the elastomer by co-coagulating the emulsion of fluorine-containing elastomer particles and the emulsion of  
10 fluorine-containing resin particles. However such a technical characteristic can be seen in DE 19909574 and JP 6283831, and DE 19909574 discloses the technical characteristics of the present application (an emulsion of fluorine-containing elastomer particles and an emulsion of fluorine-containing resin particles which are obtained by  
15 emulsion polymerization are mixed and co-coagulated to obtain a composition, and in order to enhance mechanical properties of the composition, a filler and a crosslinking agent (peroxide, polyol) are added). Therefore the present invention has no inventive step.

(3) It is further pointed out that though Claims 1 and 2 relate to the  
20 composition, components and proportions thereof are not disclosed, and that Claim 9 which relates to the molded article obtained from the composition of Claim 1 does not disclose its technical characteristics.

By the reasons mentioned above, this application does not satisfy the  
25 requirements for allowing patent, and under Article 20, Paragraph 2 and Article 22, Paragraph 4 of the Patent Law, the instant application is judged as stated in the above text.